



# **New Citizenship and Identity Rules**

**Required by the federal Deficit Reduction Act**



# New Citizenship and Identity Rules

- Deficit Reduction Act requires verification of citizenship and identity beginning July 1, 2006.
- DHMH began implementing this new federal law on September 1, 2006.
- New applicants *and* current recipients, who declare to be US Citizens, must provide documentation to prove citizenship and identity.
- **This law does not apply to qualified aliens or undocumented aliens. They follow current procedures for verification of immigrant status.**



# Reasonable Opportunity

- Documentation need only be provided ONE time.
- Current recipients will be notified if documentation is not needed at annual re-determination.
- The State will provide new applicants and current recipients with a **reasonable opportunity** to present documents establishing citizenship and identity.
- Following current Medicaid policy, new applicants will have 30 days to provide documentation.
- If an application is initially denied after 30 days, but the applicant provides the documentation within the next 5 months, the application may be reactivated retroactive to the date of application.



# Who will not be affected

No documents about citizenship are required for:

- Newborns whose mother was enrolled in MA or MCHP for the date of birth, including the newborns of mothers who are aliens only covered for emergency medical services (all newborns must show proof upon renewal);
- Pregnant women who are determined presumptively eligible,
- Supplemental Security Income (SSI) recipients, and SSDI recipients receiving benefits based on their own disability;
- Title IV-E Foster Care Children;
- Individuals who are eligible for Medicare; and
- Refugees, asylees and other qualified aliens.

**The new law does not affect the process by which illegal or non-qualified aliens currently receive emergency-only Medicaid benefits.**



# Assistance To Obtain Documents

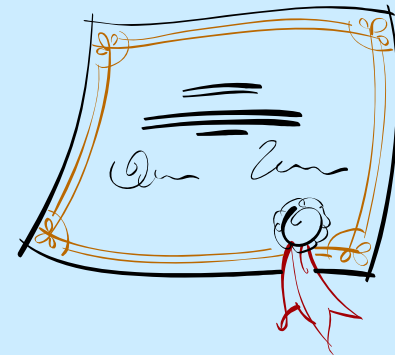
- DHMH/DHR will provide assistance in securing acceptable documents.
- DHMH will contact other state and federal agencies for proof of citizenship and/or identity.
- If documentation is not available at time of application or re-determination, affidavits may be used (forms provided by DHMH).
- DHMH has established a Post Office Box for receipt and collection of documents.
- DHMH is matching files with the Maryland Office of Vital Records.



# Primary Documents

Acceptable primary documentation to verify BOTH Citizenship AND Identity:

- U.S. Passport;
- Certificate of Naturalization; or
- Certificate of U.S. Citizenship.





## Other Acceptable Documents Second Level

Acceptable secondary documentation to verify proof of *citizenship*  
(a document to prove identity is also required):

- A U.S. birth certificate or match with Vital Records by DHMH;
- A Certification of Report of Birth issued by the Department of State (Form DS-1350);
- A Report of Birth Abroad of a U.S. Citizen (Form FS-240);
- A Certification of Birth Abroad (FS-545);
- Final adoption decree for child born in the U.S.;
- Evidence of civil service employment by the U.S. government before June 1976; or
- An official military record of service showing a U.S. place of birth.



# Other Acceptable Documents

## Third Level

Acceptable third level documentation to verify proof of *citizenship*  
(a document to prove identity is also required):

- Extract of U.S. hospital record of birth established at the time of the person's birth, and indicating a US place of birth (for persons 16 years or older the record must have been created at least 5 years before the initial application date); or
- Life, health or other insurance record showing a U.S. place of birth (created at least 5 years before the initial application date).





# Other Acceptable Documents

## Fourth Level

Acceptable fourth level documentation to verify proof of *citizenship* (a document to prove identity is also required):

- Federal or State census record for 1900 thru 1950 showing U.S. citizenship or a U.S. place of birth and individual's age;
- Institutional admission papers from a nursing home, or other institution (created at least 5 years before the initial application date and a U.S. place of birth is indicated);
- Signed statement by physician or midwife who attended the birth, or Vital Record official notification of birth registration;
- Medical (clinic, doctor, or hospital) record of the birth (if created at least 5 years before the initial application date, unless the application is for a child under 16); or
- Three (3) written affidavits.



# Affidavits

- Two (2) written affidavits may be used to verify citizenship if no other documentation is available and all of the following rules are met:
  - ◆ Affidavits must be supplied by two individuals, at least one of whom is **not** related to the applicant or recipient.
  - ◆ Each individual signing an affidavit must have personal knowledge of the event(s) establishing the applicant's or recipient's citizenship.
  - ◆ Each individual signing an affidavit must be able to prove his or her own citizenship and identity.
  - ◆ If the individual signing an affidavit can explain why documents do not exist or cannot be readily obtained, the affidavit should contain that explanation as well.



# Affidavits

- A third affidavit is also required from the applicant/recipient, parent guardian, or other knowledgeable individual explaining why documentary evidence does not exist or cannot be readily obtained.
- ALL affidavits must be signed under penalty of perjury.
- *DHMH has made Affidavit forms available.*



# Identity Documents

Acceptable U.S. documentation to verify proof of *identity*:

- A state driver's license or MVA ID card bearing the individual's picture;
- A government identity document also bearing the individual's picture, including a US military card of draft record;
- A government issued document containing the same information that would be contained on a driver's license;
- A data-match with other government agencies that establish and certify the individual's true identity: Food Stamps, Child Support, Child Protective Service, corrections, juvenile services, MVA, federal records of former or denied SSI recipients;
- School identification card with a photograph; or
- Military dependent's identification card.



## Identity Documents

Children who are age 16 or younger may have their identity documented using other means when the child does not have or cannot obtain any document on the preceding lists:

- School record, including daycare or nursery school record; or
- Affidavit signed under penalty of perjury by a parent or guardian attesting to the child's identity (not acceptable if an Affidavit was also used to document citizenship).



## DHMH will facilitate this process by:

- Sending a notice of new requirements to all current recipients every month, starting with those who have re-determinations scheduled between September 1, 2006 and September 30, 2006;
- Soliciting input from all stakeholders regarding smooth implementation, including Town Hall Meetings;
- Conducting a data match with Vital Records and other agencies;
- Setting up a central call center and e-mail communication center for customers and interested parties;
- Setting up a standard affidavit system;
- Conducting training with Local Departments of Social Services and Local Health Departments; and
- Setting up a web-based information center to answer questions and inquiries.



# Resolution of Issues

DHMH is working to resolve issues pertaining to:

- Verifying citizenship and/or identity without a face-to-face interview;
- Obtaining documentation for individuals residing in long-term care facilities, psychiatric facilities, etc.;
- Assisting individuals who are homeless and working with advocates;
- Assisting individuals who suffer from mental illness;
- Identifying other healthcare programs to assist individuals who are ineligible for Medical Assistance programs; and
- Assisting authorized representatives in obtaining information.



## Future Information and Questions

*Additional information will be posted on the DHMH website as it becomes available.*

*[http://www.dhmh.state.md.us/html/hotissues\\_citizen.htm](http://www.dhmh.state.md.us/html/hotissues_citizen.htm)*

*Questions and Suggestions can be emailed to:*

***[DRAInfo@dhmh.state.md.us](mailto:DRAInfo@dhmh.state.md.us)***

*Applicants and Recipients can call 1-800-492-5231 from 7 a.m. to 7 p.m. Monday thru Friday.*





# Documentation Repository

*Documentation of citizenship and identity should be mailed to the caseworker and a copy should be mailed to:*

**DHMH Medicaid Verifications**

**P.O. Box 2075**

**Baltimore, MD 21203-2075**